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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EDWARDS & ANGELL, LLP			BURLESON, MICHAEL L	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/551,965

Applicant(s)

FUJIMOTO ET AL.

Examiner

Michael Burleson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,8,10,11 and 13-18 is/are rejected.
- 7) ☒ Claim(s) 3-6,9 and 12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2 and 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted was 05/07/1999. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,2,7,8,10,11 and 13-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Shimazawa et al. US 6240271 in view of Funada et al. US 5742408.

Regarding claim 1, Shimazawa et al. teaches of a first image formation means (21) and a second image formation means (22) (column 15, lines 29-31), which reads on a first image processing unit and a second image processing unit. Shimazawa et al.

teaches of a light sensitive element (24) and (30) (column 15, lines 32-33 and lines 49-50), which reads on each of the processing units having a photosensitive body. He also teaches of light element exposure devices (65,66) that exposes the surface of the light sensitive elements (24,30) and forms an electrostatic latent image on the surface for both first image formation means (21) and second image formation means (22) (column 25 and 26, lines 1-16). Shimazawa et al. teaches of developing devices (26,27,32,33)(column 19, line 43). In the first image formation means, the developing devices (26,27) develop a first color and third color, which can be any color (column 15, lines 37-41) and in the second image formation means, the developing devices (32,33) develop a second color and a fourth color which can be any color (column 15, lines 52-57). This reads on a plurality of developing devices for supplying said electrostatic latent image with toner and each of said plurality developing devices withholding toner of a different color provided that one of said plurality of developing device in said first image processing unit withholds black toner. Shimazawa et al. also teaches of transfer units (35,36) of first and second formation means (column 24, lines 62-64). The transfer portions (35a,36a) of the transfer units (35,36) can transfer and superimpose images of the first and second image formation means (column 4, lines 12-36 and column 25, lines 7-23), which reads on a color image being formed on said transferring toner images formed on said photosensitive bodies in said first and second image processing units so as to be superimposed over one another.

Shimazawa et al. fails to teach of additional information composite means for producing a composite image by combining a chief monochrome image with additional information of the second image formation means.

Funada et al. teaches of a pattern addition circuit (410) in which a pattern is added to a reproduced image (column 5, lines 22-25). He also teaches of an achromatic/chromatic color discrimination circuit (7417) that determines if an image is a black and white image, if it is a black and white image, then the pattern addition circuit (410) executes pattern addition. (column 17, lines 6-10) This reads on additional information composite means for producing a composite image by combining a chief monochrome image with additional information forming an image different from said chief monochrome image.

Shimazawa et al. could have easily been modified to contain the pattern addition circuit of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because by using the pattern addition circuit of Funada et al., one would be able to add additional information to a monochrome image.

Funada et al. teaches of a CPU, which is used for overall control of the unit (column 4, lines 54-55), which reads on a control means for having said first image processing unit form said chief monochrome image and said second image processing unit form the image of said additional information.

Regarding claim 2, Shimazawa et al. differs from claim 2 in that he does not teach of an additional information that is identification information which identifies a

particular device that produces the composite image by combining said identification information with said chief monochrome image.

Funada et al. teaches that an added pattern, a manufacturer's serial number exclusively assigned to the copying machine (column 8, lines 41-44), which reads on additional information, which identifies a particular device. Funada et al. teaches of an achromatic/chromatic color discrimination circuit (7417) that determines if an image is a black and white image, if it is a black and white image, then the pattern addition circuit (410) executes pattern addition (column 17, lines 6-10), which reads on said additional information composite means produces the composite image by combining said identification information with said chief monochrome image.

Shimazawa et al. could have easily been modified to contain the added pattern of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because the added pattern of Funada et al. could be used to identify a particular device.

5. Regarding claim 7, Shimazawa et al. teaches of a first image formation means (21) and a second image formation means (22) (column 15, lines 29-31), which reads on a first image processing unit and a second image processing unit. Shimazawa et al. teaches of a light sensitive element (24) and (30) (column 15, lines 32-33 and lines 49-50), which reads on each of the processing units having a photosensitive body. He also teaches of light element exposure devices (65,66) that exposes the surface of the light

sensitive elements (24,30) and forms an electrostatic latent image on the surface for both first image formation means (21) and second image formation means (22) (column 25 and 26, lines 1-16). Shimazawa et al. teaches of developing devices (26,27,32,33). In the first image formation means, the developing devices (26,27) develop a first color and third color, which can be any color (column 15, lines 37-41) and in the second image formation means, the developing devices (32,33) develop a second color and a fourth color which can be any color (column 15, lines 52-57). This reads on a plurality of developing devices for supplying said electrostatic latent image with toner and each of said plurality developing devices withholding toner of a different color provided that one of said plurality of developing device in said first image processing unit withholds black toner. Shimazawa et al. also teaches of transfer units (35,36) of first and second formation means (column 24, lines 62-64). The transfer portions (35a,36a) of the transfer units (35,36) can transfer and superimpose images of the first and second image formation means (column 4, lines 12-36 and column 25, lines 7-23), which reads on a color image being formed on said transferring toner images formed on said photosensitive bodies in said first and second image processing units so as to be superimposed over one another.

Shimazawa et al. fails to teach of additional information composite means for producing a composite image by combining a chief monochrome image with additional information of the second image formation means.

Funada et al. teaches of a pattern addition circuit (410) in which a pattern is added to a reproduced image (column 5, lines 22-25). He also teaches of an

achromatic/chromatic color discrimination circuit (7417) that determines if an image is a black and white image, if it is a black and white image, then the pattern addition circuit (410) executes pattern addition. (column 17, lines 6-10) This reads on additional information composite means for producing a composite image by combining a chief monochrome image with additional information forming an image different from said chief monochrome image.

Shimazawa et al. could have easily been modified to contain the pattern addition circuit of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because by using the pattern addition circuit of Funada et al., one would be able to add additional information to a monochrome image.

Funada et al. teaches of a CPU, which is used for overall control of the unit (column 4, lines 54-55), which reads on a central processing unit for having said first image processing unit form said chief monochrome image and said second image processing unit form the image of said additional information.

Regarding claim 8, Shimazawa et al. differs from claim 8 in that he does not teach of an additional information memory for storing additional information.

Funada et al. teaches of a read only memory (ROM) in which a pattern to be added is stored (column 7, lines 45-46), which reads on an additional information memory for storing said additional information.

Shimazawa et al. could have easily been modified to contain the ROM of Funada et al. This modification would have been obvious to one skilled in the art at the time of

the invention because the ROM of Funada et al. could be used to store the additional information.

Regarding claim 10, Shimazawa et al. teaches of a known method of using a developing device for developing without contacting to a light sensitive element (column 19, lines 66-67), which reads on said plurality of developing devices in a non-contacting type which develops the electrostatic latent image formed on the surface of said photosensitive body without physically contacting said photosensitive body.

Regarding claim 11, Shimazawa et al. differs from claim 11 in that he does not teach of plurality of developing devices in said second image processing unit withholds yellow toner and additional information for identifying a particular device and the image thereof is formed with said yellow toner by said second image processing unit.

Funada et al. teaches of a yellow development section (221) (column 4, lines 15-16), which reads on one of said plurality developing devices in said second image processing unit withholds yellow toner. He also teaches that information including the model number of the machine is printed as a pattern and is printed in yellow (column 12, lines 11-15). The added pattern is formed with yellow toner (column 8, lines 17-18), which reads on additional information for identifying a particular device and the image thereof is formed with said yellow toner by said second image processing unit.

Shimazawa et al. could have easily been modified to contain the added pattern formed with yellow toner of Funada et al. This modification would have been obvious

to one skilled in the art at the time of the invention because the added pattern formed with yellow toner could be used to make it hard to see with the human eye the information about a particular device.

Regarding claim 13, Shimazawa et al. differs from claim 13 in that he does not teach of additional information being formed by adding toner of different colors withheld in said plurality of developing devices in second image processing unit.

Funada et al. teaches that the color of the added pattern is not limited to yellow, it can be selected from other colors (column 18, lines 17-22), which reads on additional information is formed by adding toner of different colors withheld in said plurality of developing devices in said second image processing unit.

Shimazawa et al. could have easily been modified to contain the added pattern formed with toner of different colors of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because the added pattern formed can be presented in other colors.

Regarding claim 14, Shimazawa et al. differs from claim 14 in that he does not teach of additional information being formed by toner of a color selected from the group consisting of yellow magenta and cyan.

Funada et al. teaches that the color of the added pattern is not limited to yellow; it can be selected from other colors (column 18, lines 17-22). He also teaches of a rotary development device (218) that consists of a yellow development section (221), magenta

development section (219) and cyan development (220), which develops with a toner (column 4, lines 13-18). This reads on additional information is formed by toner of a color selected from the group consisting of yellow, magenta and cyan.

Shimazawa et al. could have easily been modified to contain the added pattern formed with toner of yellow, magenta and cyan development devices of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because the added pattern formed can be presented in yellow, magenta or cyan.

6. Regarding claim 15, Shimazawa et al. teaches of a first image formation means (21) and a second image formation means (22) (column 15, lines 29-31). Shimazawa et al. teaches of a light sensitive element (24) and (30) (column 15, lines 32-33 and lines 49-50), developing devices (26,27,32,33) (column 19, line 43). In the first image formation means, the developing devices (26,27) develop a first color and third color, which can be any color (column 15, lines 37-41) and in the second image formation means, the developing devices (32,33) develop a second color and a fourth color which can be any color (column 15, lines 52-57). This reads on a first image processing unit and a second image processing unit for forming toner images of different colors. He also teaches of transfer portions (35a,36a) of the transfer units (35,36) that can transfer and superimpose images of the first and second image formation means (column 4, lines 12-36 and column 25, lines 7-23), which reads on a layering section for layering

said toner images formed by said first and second image processing units. Shimazawa et al. shows image data lines sending image data of colors to first and second image process portions (60,70) (figures 3 and 5, and column 32, lines 5-6), which reads on image data lines respectively serving as first and second systems, said first and second systems selectively sending image data of respective corresponding colors based of an original image to said first and second image processing units.

Shimazawa et al. fails to teach of additional information memory, connected to said image data line serving as said second system, for storing additional image data which forms an image different from said original image and will be combined with said image data sent to said image data line serving as said second system to produce a composite image.

Funada et al. teaches of a read only memory (ROM) (903) in which a pattern to be added is stored (column 7, lines 45-46), which reads on an additional information memory connected to said image data line serving as said second system, for storing additional image data which forms an image different from said original image and will be combined with said image data sent to said image data line serving as said second system to produce a composite image.

Shimazawa et al. could have easily been modified to contain the read only memory (ROM) connected to the image data line of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because the read only memory (ROM) would store additional information to be added to another image.

Regarding claim 16, Shimazawa et al. teaches of a first image formation means (21) that has a developing device (26) for developing a first color (column 15, lines 27-38), which reads on first image processing unit forms a black toner image.

Regarding claim 17, Shimazawa et al. differs from claim 17 in that he does not teach of second image processing unit forms a yellow toner image.

Funada teaches of an added pattern formed with yellow toner (column 8, lines 17-18), which reads on second image processing unit forms a yellow toner image.

Shimazawa et al. could have easily been modified to contain the image processing unit that forms a yellow toner image of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because the second image processing unit forms a yellow toner image that is hard to see with the human eye.

Regarding claim 18, Shimazawa et al. differs from claim 18 in that he does not teach of additional information memory stores image data of identification information for identifying a particular device, which has formed said original image.

Funada et al. teaches of a read only memory (ROM) (903) in which a pattern to be added is stored (column 7, lines 45-46) and he teaches that an added pattern is a manufacturer's serial number assigned to a copy machine (column 8, lines 41-44),

which reads on additional information memory stores image data of identification information for identifying a particular device which has formed said original image.

Shimazawa et al. could have easily been modified to contain the read only memory (ROM) (903) in which a pattern to be added is stored of Funada et al. This modification would have been obvious to one skilled in the art at the time of the invention because it would allow one to store the additional information of a particular device.

Allowable Subject Matter

7. Claims 3-6,9 and 12 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

1. Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (703) 305-8683 and fax number is (703) 746-3006. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (703) 305-4863

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Michael Burleson
Patent Examiner
Art Unit 2626

Mlb
March 20, 2004

MARK WALLERSON
PRIMARY EXAMINER
